

HURWITZ & FINE, P.C.

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February 3, 2017

VIA ECF

Hon. James Orenstein
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: Century Surety Company v. AA General Trading Corp, et al.
Index No.: 1:15-cv-04509 (ARR)(MDG)
Our File No.: 20150721

Dear Judge Orenstein:

This office represents plaintiff Century Surety Company in the above-referenced matter. Pursuant to the Court's most recent scheduling order, as filed on January 3, 2017 (Docket #106), a Rule 30(b)(6) deposition of Plaintiff was to take place by today. However, despite follow up, no Rule 30(b)(6) notice was served upon Century until last week. Moreover, this notice was deficient in that it failed to meet the statutory standards of reasonable particularity, was far too broad, and not sufficiently specific.

Notwithstanding, Century fully intends to produce a knowledgeable corporate witness for the deposition. However, this has proven impossible on such short notice. We have yet to identify such a witness, let alone prepare them for testimony. Further, as the court is aware, defendants only just recently served Century with discovery notices for paper disclosure. Century is currently preparing responses to those requests; however it would be in all parties' interests for paper discovery to be exchanged prior to undertaking party depositions. We note that the discovery cut off in this case remains March 6, 2017.

Accordingly, Century respectfully requests an extension of time in which to conduct the Rule 30(b)(6) deposition, through March 15, 2017. As Century is an out-of-state entity whose potential witnesses all reside in Ohio, we have obtained consent of all parties to conduct that deposition telephonically. We anticipate that all discovery will thereafter be complete in this action prior to the court's next conference on March 21, 2017. The undersigned has reached out

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to counsel for the appearing defendants, who have consented to an adjournment of the deposition deadline.

Respectfully submitted,

HURWITZ & FINE, P.C.



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cc: (via ECF)
John Beatty, Esq.
Joe Puzo, Esq.